

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**PAUL PHILLIPS, ET. AL.,**

*Plaintiffs,*

**-against-**

**THE CITY OF NEW YORK, ET. AL.,**

*Defendants.*

**21-cv-08149 (ALC) (SLC)**

**ORDER**

**ANDREW L. CARTER, JR., District Judge:**

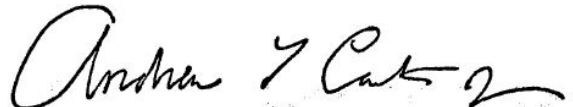
In accordance with the telephonic conference on August 7, 2023, Defendants' motion to dismiss, ECF No. 62, and Plaintiffs' motion to strike the motion to dismiss, ECF No. 76, are hereby **DISMISSED** without prejudice.

Plaintiffs are granted leave to file an amended complaint to name the Does on or before **September 8, 2023**. The parties must file a joint status report on any representation issues Defendants may face on or before **October 10, 2023**. If there are no representation issues, the parties must also propose a briefing schedule for the motion to dismiss the Amended Complaint and motion to strike.

The Clerk of the Court is respectfully requested to terminate the open motions at ECF Nos. 62 and 76.

**SO ORDERED.**

**Dated: August 8, 2023  
New York, New York**



**ANDREW L. CARTER, JR.  
United States District Judge**